

To: CN=Erin Foresman/OU=R9/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Karen Schwinn/OU=R9/O=USEPA/C=US
Sent: Sat 6/18/2011 4:37:12 AM
Subject: Fw: RE: draft BDCP MOU 3 June 2011 (UNCLASSIFIED)
mailto:David_Nawi@ios.doi.gov
<mailto:Paul.J.Robershotte@usace.army.mil>
mailto:David_Nawi@ios.doi.gov
<mailto:Michael.G.Nepstad@usace.army.mil>
<http://per2.nwp.usace.army.mil/survey.html>
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>

just fyi, an exchange of email earlier today.

~~~~~  
KAREN SCHWINN  
Associate Director  
Water Division  
U.S. EPA Region 9  
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San Francisco, CA 94105  
415/972-3472  
415/947-3537 (fax)  
~~~~~

-----Forwarded by Karen Schwinn/R9/USEPA/US on 06/17/2011 09:36PM -----
To: "Nawi, David" <David_Nawi@ios.doi.gov>
From: "Robershotte, Paul J SPD" <Paul.J.Robershotte@usace.army.mil>
Date: 06/17/2011 12:03PM
Cc: "Nepstad, Michael G SPK" <Michael.G.Nepstad@usace.army.mil>, Karen Schwinn/R9/USEPA/US@EPA, Tom Hagler/R9/USEPA/US@EPA
Subject: RE: draft BDCP MOU 3 June 2011 (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

David
Thanks. I have discussed this MOU with Mark, Jerry, and Dale, at least twice, discussing its objective, its length, the tables and figures. Dale, Mark & Jerry have indicated they want DWR to be a signatory. Dale has committed to have a "permitting POC" hired within DWR and consultants on board with 404/10/408 expertise in the next 2 to 3 weeks. This should dovetail well with the MOU.
Best,
Paul

-----Original Message-----
From: Nawi, David [mailto:David_Nawi@ios.doi.gov]
Sent: Friday, June 17, 2011 11:24 AM
To: Robershotte, Paul J SPD
Cc: Nepstad, Michael G SPK; Schwinn.Karen@epamail.epa.gov; Hagler.Tom@epamail.epa.gov

Subject: RE: draft BDCP MOU 3 June 2011 (UNCLASSIFIED)

Paul - I appreciate your thoughts and the impulse to move the MOU to completion in a very short time. The only thing I would add is the need to involve DWR. I just spoke with Mark Cowin and told him that we intend to provide a draft to DWR following the meeting on Wednesday. I hope and expect that we will have a complete draft agreeable to all the federal agencies at the end of that meeting. I will do all I can to encourage prompt and effective agency participation.

David

-----Original Message-----

From: Robershotte, Paul J SPD [mailto:Paul.J.Robershotte@usace.army.mil]
Sent: Friday, June 17, 2011 10:16 AM
To: Nawi, David
Cc: Nepstad, Michael G SPK
Subject: draft BDCP MOU 3 June 2011 (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

David

I have been surprised by the lack of familiarity and the confusion (e.g. Letty, Federico, others) over the Clean Water Act process, in particular, but also the required 408 & Section 10 processes. There has been so much attention to the Section 7 Consultation process, this (404/408/10) has not gotten appropriate attention. This MOU need not take but days to be finalized and signed. This is not a contract for negotiation and counter negotiation, this is a recognition, or an acknowledgement that these processes are required by law and the Lead Agencies acknowledge such. Period.

It is up to the Corps to get this to the Leads and to respond to questions and suggested edits. The three Lead Agencies are welcome to ask questions and suggest edits, but any delay on the part of the Lead Agencies in signing this can be interpreted as a continuing lack of interest and/or recognition. All we need is Reclamation, FWS & NMFS to read, comment and sign. It could be done this week.

Can you assist by encouraging their participation? I will attend this next week's MOU meeting.

Thanks
Paul

-----Original Message-----

From: Nawi, David [mailto:David_Nawi@ios.doi.gov]
Sent: Thursday, June 16, 2011 2:43 PM
To: Robershotte, Paul J SPD
Subject: FW: Attached is draft BDCP MOU 3 June 2011

Paul - June 3 draft of the permitting MOU is attached. I have just looked it over. My sense is that completing a final draft of this document and getting it through the needed levels of state (DWR) and federal management and legal

review will take a good bit of time and effort. It may not be the most effective use of either. Do you have any thoughts?

David

-----Original Message-----

From: Nepstad, Michael G SPK [mailto:Michael.G.Nepstad@usace.army.mil]
Sent: Monday, June 06, 2011 11:19 AM
To: Beggs, Barbara; Deanna.Harwood@noaa.gov; Monroe, James; Allen, Kaylee; Clay, Lisa H SPK; melanie.rowland@noaa.gov; Jewell, Michael S SPK; Idlof, Patricia S; Michael.Tucker@NOAA.GOV; Victorine, Rebecca A; Hagler.Tom@epamail.epa.gov; Redler, Yvette; Foresman.Erin@epamail.epa.gov
Subject: Attached is draft BDCP MOU 3 June 2011

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